REMARKS

Claims 1, 9, 21, 29 have been amended. Support for these amendments may be found at least in claims 2, 10, 22, and 30 as originally filed. Claims 2, 10, 22, and 30 have been cancelled without prejudice. According to the election in response to the Restriction Requirement mailed April 30, 2010, claims 17-20 and 36-48 have been withdrawn. No new claims have been added. Applicants submit that the amendments presented herein add no new matter. Upon entry of these amendments, claims 1, 3-9, 11-21, 23-29, and 31-48 are pending.

Claim Rejections Under 35 U.S.C. § 112

Claims 1-16 and 21-35 stand rejected under 35 U.S.C. § 112, first paragraph, as failing to comply with the written description requirement. The Examiner alleges that while "the specification discloses examples of structures of some compounds within the scope of what is claimed," however, "there is no evidence that there is any per se structure/function relationship between the disclosed HMG-CoA inhibitor and any others that might be found using the claimed method." Office action at page 2. Without conceding to the propriety of the rejections, Applicants have amended independent claims 1, 9, 21, and 29 to incorporate the elements of dependent claims 2, 10, 22, and 30, respectively, to indicate that the compound (claims 1 and 9) or HMG-CoA reductase inhibitor (claims 21 and 29) is a statin. Applicants submit that the amendments presented herein render the rejections moot. Withdrawal of the rejections is respectfully requested.

Claim Rejections Under 35 U.S.C. § 103(a)

Claims 1-16 and 21-35 stand rejected under 35 U.S.C. § 103(a) as being unpatentable over Lockhart et al. (U.S. Patent Application Publication No. 2004/0248972). The Examiner alleges that "Lockhart et al. teach the use of the claimed statin compounds for the treatment of visual disorders, such as glaucoma." Office action at page 4. Applicants respectfully disagree and submit that the Examiner has mis-characterized the disclosure of Lockhart. Independent claims 1 and 9 recite "method[s] . . . comprising administering . . . a compound that inhibits the hydroxymethylglutaryl-coenzyme A (HMG-CoA) reductase-catalyzed transformation of HMG-CoA to mevalonic acid . . . wherein said compound is a statin." Independent claims 21 and 29 recite "method[s] . . . which comprise[s] administering . . . at least one HMG-CoA reductase inhibitor . . . wherein said HMG-CoA reductase inhibitor is a statin." Lockhart does not teach or suggest a statin that inhibits the hydroxymethylglutaryl-coenzyme A (HMG-CoA) reductase-

catalyzed transformation of HMG-CoA to mevalonic acid. Lockhart also does not teach or suggest a HMG-CoA reductase inhibitor that is a statin. Rather, Lockhart discloses *derivatives of* statin compounds. Lockhart at Abstract and paragraph [0006]. Further, the compounds of Lockhart have "reduced, or unappreciable, inhibitory activity against HMG-CoA reductase." Lockhart at Abstract. The compounds of Lockhart "comprise a portion of a statin compound that lacks the moiety believed to be involved in inhibitory activity against 3-hydroxy-3-methyl-glutaryl-coenzyme A (HMG-CoA) reductase." Lockhart at paragraph [0005]. The compounds of Lockhart do not inhibit the hydroxymethylglutaryl-coenzyme A (HMG-CoA) reductase-catalyzed transformation of HMG-CoA to mevalonic acid and are not HMG-CoA reductase inhibitors. Accordingly, independent claims 1, 9, 21, and 29 are allowable.

Applicants further submit that dependent claims 3-8, 11-16, 23-28, and 31-35 depend directly or indirectly from independent claims 1, 9, 21, and 29 and are patentable for at least the same reasons. These claims may contain additional patentable subject matter for reasons not set forth herein.

Applicants respectfully request withdrawal of the rejections.

Conclusion

Applicants submit that the claims are patentable in light of the amendments and remarks presented herein. Applicants respectfully request allowance of the claims. The Examiner is invited to contact the undersigned attorney with any questions, comments, or suggestions relating to the above-identified patent application.

Respectfully submitted,

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